

REMARKS

Claims 37-48 and 61 are pending with claims 37 and 49 being independent. Claims 1-36 and 49-60 have been canceled, claim 37 has been amended, and claim 61 has been added. Support for the amendment and the new claim may be found in the application at, for example, Figs. 1A-1C and the accompanying text at page 9, line 16 to page 10, line 8. No new matter has been introduced.

Claim 37 has been rejected as being anticipated by Yamazaki '137 (U.S. Patent No. 5,894,137). Applicant requests reconsideration and withdrawal of this rejection because Yamazaki '137 does not describe an arrangement in which an impurity region is formed so as to extend between source and drain regions, and at least two channel regions are separated from each other by the impurity region, as recited in claim 37. In particular, the impurity region 103 of Yamazaki '137, which the rejection equates with the recited impurity region, does not extend between source and drain regions, and does not separate at least two channel regions. Accordingly, the rejection should be withdrawn.

Claims 38-44 and 46-48 have been rejected as being unpatentable over Yamazaki '137 in view of Yamazaki '363 (U.S. Patent No. 5,869,363), and claim 45 has been rejected as being unpatentable over Yamazaki '137 in view of Singh (U.S. Patent No. 5,843,811). Applicant requests reconsideration and withdrawal of these rejections because both Yamazaki '137 and Yamazaki '363 are disqualified from being used as the basis of an obviousness rejection under 35 U.S.C. §103(a) pursuant to 35 U.S.C. §103(c).

Yamazaki '137 has a filing date of March 12, 1997, and a publication date of April 13, 1999. Yamazaki '363 has a filing date of December 16, 1996, and a publication date of February 9, 1999. The present application has an earliest U.S. priority date of July 13, 1998. Accordingly, Yamazaki '137 and Yamazaki '363, at best, are prior art under §102(e), and are not prior art under §102(a) and §102(b). Therefore, since the invention of the present application, Yamazaki '137 and Yamazaki '363 were, at the time the invention of the present application was made, owned by Semiconductor Energy Laboratory Co., Ltd., §103(c) may be used to disqualify

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Yamazaki '137 and Yamazaki '363 as §103(a) references. Accordingly, the obviousness rejections based on these references should be withdrawn.

Similarly to claim 37, claim 61 recites a pinning region that extends between source and drain regions, and separates at least two channel regions. Accordingly, claim 61 is allowable at least for the reasons discussed above.

Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$450 in payment for a two-month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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